



## CITY OF PHILADELPHIA

**LAW DEPARTMENT**  
ONE PARKWAY BUILDING  
1515 ARCH STREET  
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**Shelley R. Smith**  
**City Solicitor**

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April 29, 2013

### **VIA ELECTRONIC MAIL**

Carlton Purvis  
MuckRock News  
Dept MR 5001  
P.O. Box 55819  
Boston, MA 02205-5819  
5001-63304719@requests.muckrock.com

**Re: Purvis CP 2013-0382i**

Dear Mr. Purvis:

Thank you for writing to the City of Philadelphia with your request for information. A copy of your request is attached. This letter serves as an acknowledgement of receipt of your request and notice of the City's Open Records Policy pursuant to the Right to Know Law.

Please note at the outset that written requests for records to state and local agencies in Pennsylvania are generally governed by the Commonwealth's Right to Know Law (the "Act"), 65 P.S. §67.101-67.3104. In accordance with the Act, the City has promulgated a Right to Know Policy, which requires the standard statewide Right to Know Form be used for the submission of written requests pursuant to the Act. *See* 65 P.S. § 67.504(a); *Dekok v. Lancaster County*, AP 2010-1197, 2011 PA O.O.R.D. LEXIS 25 at \*5 and n.1 (OOR Jan. 17, 2011) (holding that in accordance with the Right to Know Law, an agency may adopt a policy requiring the use of the standard statewide form established by the Office of Open Records in order to file a Right to Know Request); *accord Pennsylvania Gaming Control Board v. OOR*, 48 A.3d 503 (Pa. Commw. 2012). As your request was not submitted on or with the standard statewide form, the City does not consider your request to be a written request pursuant to the Act and will process it as an informal request.

You do not have to resubmit your request for the City to respond unless you are specifically informed otherwise.<sup>1</sup> The City is continuing to process the request you have submitted as an informal request outside the Act and will be in touch with you further to respond to your request.

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<sup>1</sup> The City reserves the right to require a formal RTK Request be submitted pursuant to the Act before releasing records.

However, if you would like to file a RTK Request, please submit your request on or with the standard statewide Right to Know Form and address your request to the appropriate open records officer in accordance with the City's Right to Know Policy. **Please include this notice with your RTK Request.** Please note that if you resubmit your request as a written request pursuant to the Act the City will deem your informal request to have been withdrawn.

The City's Open Records Policy can be found here:

<http://www.phila.gov/privacy/pdfs/FinalCityOpenRecords.pdf>.

The statewide form appears at the end of the City's Right to Know Policy. If you require a hard copy of the form and/or policy, please let me know and one will be provided.

The City reserves the right to assert any and all grounds of denial in its final response to your request.

Respectfully,

A handwritten signature in dark ink, appearing to read "Ben Mishkin", written in a cursive style.

Benjamin S. Mishkin  
Assistant City Solicitor